

IN THE COURT OF APPEALS
STATE OF ARIZONA
DIVISION TWO

FILED BY CLERK

APR 26 2007

COURT OF APPEALS
DIVISION TWO

THE STATE OF ARIZONA,

Appellee,

v.

EDDIE JOE CAMPILLO,

Appellant.

2 CA-CR 2006-0398

DEPARTMENT A

MEMORANDUM DECISION

Not for Publication

Rule 111, Rules of
the Supreme Court

APPEAL FROM THE SUPERIOR COURT OF GRAHAM COUNTY

Cause No. CR2003152

Honorable R. Douglas Holt, Judge

AFFIRMED

Meredith Little

Tucson
Attorney for Appellant

P E L A N D E R, Chief Judge.

¶1 Appellant Eddie Campillo appeals from the trial court's revocation of his probation after a hearing and its subsequent imposition of a presumptive prison sentence. Counsel has filed a brief citing *Anders v. California*, 386 U.S. 738, 87 S. Ct. 1396 (1967), and *State v. Leon*, 104 Ariz. 297, 451 P.2d 878 (1969), stating that she has "diligently

searched” the record without finding an arguable issue to raise on appeal and asking us to search the record for error pursuant to *Anders*. Campillo has not filed a supplemental brief.

¶2 After pleading guilty to an amended charge of attempted assault/domestic violence, a class four felony, Campillo was placed on three years’ supervised probation commencing on October 14, 2003. Between January 2005 and June 2006, the state filed three petitions to revoke probation. Campillo admitted several of the allegations in the first of those petitions, after which the trial court reinstated him on probation, increased the level of supervision to intensive, extended the probationary term an additional 125 days, and ordered Campillo to serve 180 days in jail as a condition of probation.

¶3 In October 2005, the trial court again modified his supervision level, this time from intensive back to standard probation, to allow Campillo to live with his family in Pinal County where intensive supervision was not available. Approximately six months later, the state filed the second petition to revoke Campillo’s probation, alleging he had tested positive for methamphetamine use in March 2006 and had failed to report for substance abuse counseling. At the violation hearing on that petition on June 12, the trial court found Campillo in violation of only the latter condition. It ordered him to return from Pinal to Graham County to participate in drug treatment and also ordered him to submit a sample for urinalysis that day. The third petition to revoke probation alleged Campillo had again tested positive for methamphetamine on June 12.

¶4 Based on the laboratory results of the June 12 test and other evidence admitted at the violation hearing subsequently held on the third petition, the trial court found Campillo had violated two of his probation conditions by testing positive for methamphetamine. At a combined disposition hearing for both the second and third petitions, the trial court revoked Campillo's probation and ordered him to serve a presumptive term of 2.5 years in prison.

¶5 We have reviewed the record in its entirety and have found no fundamental error. We therefore affirm the trial court's orders revoking Campillo's probation and sentencing him to the presumptive prison term of 2.5 years.

JOHN PELANDER, Chief Judge

CONCURRING:

JOSEPH W. HOWARD, Presiding Judge

GARYE L. VÁSQUEZ, Judge